

REMARKS

The Office Action dated January 24, 2007, has been carefully reviewed and the present amendment is submitted in response thereto. Claims 1-3 have been amended, claims 4 and 5 are new. Claims 1-5 are in the application for prosecution on the merits. Favorable consideration of this application as amended is requested.

Objection to Declaration:

A new declaration in compliance with 37 CFR 1.67(a), identifying this patent application by serial number and filing date, is submitted with this amendment.

Claim Rejections Under 35 U.S.C. § 102:

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Redmann, Jr. et al. (4,408,808), hereafter referred to as Redmann. Applicant respectfully traverses this rejection. In order to anticipate a claim under 35 U.S.C. 102(b), each and every element of the claim must be disclosed in the prior art reference, and arranged as in the claim.

Claim 1, as amended, recites, "a hollow lubrication oil transfer tube extending through the axial passage, sealingly secured between and supported by said first and second dam members." Redmann does not teach or suggest such a hollow tube that extends axially through a rotating shaft and is also supported by the dam members and sealingly secured to them. Thus, with at least these limitations of amended claim 1 missing from Redmann, there cannot be anticipation under section 102(b).

Claim 2 was amended to clarify that it is at least one of said "dam members" that has restricted flow passages formed therein, rather than the bearing means. This is shown in the drawings and discussed in the specification as originally filed, and so no new matter is being introduced. Claim 3 was amended merely to correct a typographical error.

Claim Objections (Allowable Subject Matter):

Claims 2 and 3 stand objected to as being dependent upon a rejected base claim, but the examiner has indicated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

New claim 4 is essentially original claim 2 rewritten in independent form, with corrections for typographical errors and other minor corrections. New claim 5 is original claim 3 essentially rewritten in independent form, with a correction for a typographical error. Consequently, these new claims are believed to be allowable over the cited art.

Conclusion:

In summary, it is believed that each formal and substantive requirement has now been met. We respectfully request the examiner withdraw all of the objections and rejections. The case is now believed to be in appropriate form for allowance, which action is requested.

Respectfully submitted,

Date: April 11, 2007

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